The Sun.

WEDNESDAY, APRIL 18, 1906.

Entered at the Post Office at New York as Second Class Mail Matter.

Subscriptions by Mail, Postpaid.

DAILY, Per Month $0 50
DAILY, Per Year 6 00
SUNDAY, Per Year 2 00
DAILY AND SUNDAY, Per Year 8 00
DAILY AND SUNDAY, Per Month 70
Postage to foreign countries added.

Published by The Sun Printing and Publishing Association at 170 Nassau Street, in the Borough of Manhattan, New York.

If our friends who favor us with manuscripts for publication wish to have rejected articles returned, they must in all cases send stamps for that purpose.

The Late Rutherford B. Hayes on the Limitation of Fortunes.

Our esteemed contemporary the *Inter Ocean* of Chicago printed on Monday the singular statement that in a speech delivered in Cleveland in 1880 RUTHERFORD B. HAYES advocated limiting by law the accumulation of fortunes, with $3,000,000 as the maximum which, in his opinion, any one person ought to be permitted to possess.

We have not been able yet to verify the *Inter Ocean's* statement.

If it is accurate, Mr. ROOSEVELT is not the first person holding the office of President of the United States who has publicly discussed this idea. Mr. HAYES did not leave the White House until March of 1881.

There is in this circumstance the suggestion of an interesting possibility. Two or three years later Mr. HAYES and Mr. ROOSEVELT were associated in the administration of the National Prison Association of America, Mr. HAYES being the president and Mr. ROOSEVELT the treasurer of that organization. They must have met frequently and discussed the problems of penology and the kindred questions, sociological, ethical and economic, which relate to pauperism, crime and the unequal distribution of wealth. The late Mr. WILLIAM MARSHALL FITTS ROUND would have known.

Did the germ of President ROOSEVELT'S idea come to him through the teachings of RUTHERFORD B. HAYES?

Doctors Who Disagree.

Representative MCCALL of Massachusetts refuses to take the proposal of a progressive inheritance tax seriously as a check on great fortunes. He remarks irreverently that it has been brought forward at intervals ever since "that great washout commonly known as the flood." But Mr. MCCALL, holding that the Massachusetts delegation is expected to agitate amendment of the Dingley schedules, avails himself of the opportunity to turn the Presidential feeler to tariff account. He suggests that Mr. ROOSEVELT "might make more than an academic solution of the accumulation of wealth problem by sending a special message to Congress asking for a correction of some of the glaring wrongs of the tariff."

That may be acceptable doctrine in Massachusetts just now, but Mr. ROOSEVELT does not indorse the theory that the tariff is the mother of trusts. In his message to Congress on December 2, 1902, dealing with the subject of regulating the bad trusts, he said: "One proposition advocated has been the reduction of the tariff as a means of reaching the evils of the trusts which fall within the category I have described. Not merely would this be wholly ineffective, but the diversion of our efforts in such a direction would mean the abandonment of all intelligent attempt to do away with these evils." Mr. ROOSEVELT was firmly of the opinion that many of the trusts "would not be affected in the slightest degree by a change in the tariff, save as such changes interfered with the general prosperity of the country." The President would therefore be unable to agree with Mr. MCCALL that tariff revision would tend to solve "the accumulation of wealth problem."

Mr. ROOSEVELT, by the way, had nothing to say about the tariff in his messages of 1903 and 1904, and devoted only a paragraph to the plan of maximum and minimum rates in the message of 1905. Yet he is not a stand-patter, and might be called a reciprocity tariff man. Mr. MCCALL doesn't really expect him to send a special revision message to Congress.

Proposed Changes in England's Education Law.

There are upward of 170 Nonconformists in the present House of Commons, most of whom are supporters of the Bannerman Cabinet. It is doubtless in compliance with a peremptory demand on their part that a drastic amendment of the existing Education law has been made the capital feature of the Ministerial programme for the present session of Parliament. A bill to that effect was introduced last week in the House of Commons by Mr. AUGUSTINE BIRRELL, president of the Board of Education. If we may judge by the comments of many Liberal newspapers friendly to the Church of England, this bill may split, if it does not wreck, the present Government.

It may be remembered that the law which was enacted by the last Parliament, and which has been in force for about three years, placed denominational schools in England, hitherto supported by voluntary contributions, on the same footing as the non-denominational national or board schools, in the sense that both classes of institutions are now maintained at the public expense. In almost all of the denominational schools, which number many thousands, the pupils have been and are now instructed in the doctrines of the Church of England. The Nonconformists, who are satisfied with the national schools, where no sectarian instruction is imparted, have vehemently objected to being taxed a second time in order to provide Anglican teaching, and many of them have refused to pay the local rates levied for the purpose.

The objection seems reasonable enough to Americans, who do not tolerate sectarian instruction in their public schools, and it is recognized as such in the bill now placed before the House of Commons. Mr. BIRRELL'S measure begins by transferring the control of all schools maintained at the public expense from county and city councils back to popularly elected local school boards. It goes on to make the receipt of Government grants by schools hitherto denominational contingent on their acquiescence in such undenominational religious teaching as is now given in the national schools. There is to be no religious test for school teachers, who are to be appointed by the local authorities. In schools hitherto denominational but now taken over by the local authorities on the condition just named, denominational instruction may be imparted on two mornings a week, with the consent of the local authorities, but not by any member of the regular teaching staff. Moreover, the attendance of pupils at such times is not to be compulsory, and no part of the expense incurred for such instruction shall be borne by the rates, or local taxes. In other words, the denominational schools, most of which, as we have said, are Anglican, are virtually put back where they were before the present Education law became operative. If Anglicans want their children to receive instruction in the doctrines of the Church of England they will have to pay for it out of their own pockets.

Strange as it may seem to Americans, it is doubtful whether Mr. BIRRELL'S project, equitable as it looks, will become a law. We cannot even assert with certainty that the House of Commons will sanction it. If it be true that at least half of the Government's supporters are Anglican, and if their devotion to their religion is stronger than their loyalty to party, they may manage with the aid of almost all the Unionists to beat the proposed change in the Education law, even though the Ministry should be able to count on the assistance of the thirty independent Laborites and the eighty-one Irish Nationalists. Assuming, however, for the sake of argument, that by one means or another the Ministers will succeed in driving the Birrell measure through the House of Commons, they can hardly expect to meet, with equal success in the House of Lords. The Liberal peers constitute only an insignificant minority in that body, and most of these are Anglicans.

The same thing may be affirmed of the great Unionist majority, to say nothing of the Bench of Bishops. The Lords may throw out the bill on exactly the same plea upon which they relied when they rejected Mr. GLADSTONE'S second Home Rule project. They may say that the Bannerman Government received from the electors no definite mandate with reference to education. It cannot, indeed, be denied that the chief spokesmen of the present Government and their principal newspaper organs have declared repeatedly that the recent general election pivoted upon the question of free trade *versus* protection. They can hardly pretend at this late day that it really turned on the education issue, although, no doubt, outside of Birmingham, almost all the English Nonconformists voted for Liberal candidates.

Under the circumstances we should expect to see the House of Lords vote down the Birrell bill and defy Sir H. CAMPBELL-BANNERMAN to go to the country on the specific question of undenominational education. The Premier is well aware that in a contest thus narrowed he might find it hard to win a victory.

The Immigration Bill.

Out of a score of bills that have been introduced in the House since the present session began, the Committee on Immigration and Naturalization has composed a measure designed to restrict and in a measure check the flood of aliens that is now flowing toward this country. The important features of the proposed new law are an increase in the head tax from $2 to $5, the imposition of an educational test, the requirement of a financial qualification, an extension of the excluded classes, and provisions permitting foreign inspection and facilitating the distribution of immigrants on their arrival here.

The committee declares that in its opinion an increase of the head tax would tend to decrease immigration and deter the less desirable aliens from seeking to enter the country. Some of the bills proposed to make this tax very heavy, but the amount fixed as in the bill reported is moderate. The alien who can raise $2 is not likely to be balked by $3 more if he really desires to come to America.

The persons added to the excluded classes by the bill would be all who have been insane, all imbeciles, the feeble minded, all sufferers from tuberculosis, "persons who are wholly dependent for their support on their own physical exertion and who are certified by the examining medical officer to be of a low vitality or poor physique such as would incapacitate them from such work," and all children under 16 unaccompanied by at least one parent, at the discretion of the Secretary of Commerce and Labor. The clauses against contract laborers and women intended for immoral purposes would be strengthened.

The educational test would apply to immigrants over 16, physically capable of reading, and each would be obliged to prove his ability to read in English or in some other tongue. No test of ability to write is prescribed, and certain exceptions to this rule would allow men to bring the members of their families here. This test has President ROOSEVELT'S indorsement and was recommended in his message to Congress of December 3, 1901.

The financial qualification required would be $25 for every male 16 or more; $15 for every female, the same for every male under 16, and $50 for the head of a family this amount to cover his entire family, except its male members over 18. It is plain that the committee has not sought to go to extremes, for these sums are so moderate as to present small difficulties to any intending American who is otherwise qualified.

The distribution of immigrants would be aided by the establishment of comprehensive information bureaus, at which competent attendants would be stationed, and in which any State would be permitted to keep an agent.

With most of the proposed changes no fault can be found, for if they operated to reduce the number of immigrants no great harm could follow and the fears of some worthy persons might be laid. The educational qualification seems little short of ridiculous, however. The fact that a man can read is of little importance in judging his suitability for admission to the country. In many States—including New York—so little store is set on the ability to read or write that the privilege of voting is granted to citizens regardless of whether they are literate or not. By striking out this clause the bill would be strengthened considerably. Many of the changes it makes in the law are highly desirable.

Our Highest Mountains.

The Geological Survey has been at work again whittling off the tops of some of our proudest eminences. Estimates of mountain heights are usually exaggerated. It is not till careful surveys are made that we discover that their altitudes are less than those with which popular belief has credited them. So it happens that the fourth edition of Mr. GANNETT'S "Dictionary of Altitudes in the United States" reduces the height of Mounts Whitney, Rainier and other summits.

Up to last year Mount Whitney enjoyed the reputation of rising to a height of 14,898 feet, but in an evil moment it was attacked by a survey party which lopped off 396 feet, reducing the elevation to 14,502 feet. These surveyors have threatened the distinction of that summit as the topmost point of the United States south of Canada, for they credit Mount Williamson in California with 14,500 feet; and with only two feet between them these mountains seem to be running a neck and neck race for the final supremacy. At any rate, Mount Whitney has had a narrow escape from such humiliation as that which covered Mount St. Elias with chagrin several years ago.

Mount Rainier also has suffered diminution to the extent of 163 feet, the new figures showing only 14,363 feet. This is a positive casualty, for now Shasta, its rival in beauty and grandeur, with 14,380 feet to its credit, takes its place for the first time a little higher in the list than Seattle's favorite snow mountain. Seattle astonished the country by the fight it made for Rainier instead of Tacoma as the appellation of its beloved summit. It will not be surprising if Seattle should regard the exploit of the Geological Survey as a personal snub and demand a recount of the returns.

The latest figures of our mountain heights show plainly that it is not elevation alone that makes them famous. The name of Mount Whitney, to be sure, is fixed in every one's mind simply because it has the reputation of being higher than others of our home mountains. If its elevation were a little less its name would scarcely be known, for though in height it ranks fairly with such mountains as Monte Rosa and the Matterhorn, it is some 600 miles nearer the equator than its Swiss rivals, has a far less extensive display of snow and ice, is destitute of the charming contrast of forest and grass below the snow line, and the bare rocks of this giant of the Sierra Nevadas offer little attraction for tourists. It is famous simply because it is overtopping.

There are twenty-seven mountains in Colorado rising above 14,000 feet, and with the exception of Pike's Peak, Holy Cross Mountain and a few others, even their names are not known to most people who have never been in Colorado. They lack accessibility, outlook, history or some other quality that might give them distinction. How many of our general public have ever heard of Elbert Peak, the culminating point of Colorado? California has eleven mountains more than 14,000 feet in height, but only Whitney and Shasta are particularly famous. Some of the Montana mountains, none of which rises above 10,000 or 11,000 feet, are better known.

Of course, the Alaskan mountains, with eight summits rising above 15,000 feet, have no physical difficulty in looking down on their brethren further south. Mount McKinley, with its 20,464 feet, seems likely to hold its head higher than any other mountain on the continent, even though it should undergo a severe process of trimming at the hands of the Geological Survey.

Abolish the Aqueduct Commission.

Senator PAGE and Assemblyman PRENTICE have prepared a bill to be introduced in the Legislature soon which provides for the abolition of the Aqueduct Commission. It should be passed.

The Aqueduct Commission is a survivor of the day of "bipartisan" boards, a useless and expensive cog in the municipal machine, the members of that board not having work enough to keep them reasonably busy. The operations they are supposed to supervise fall legitimately within the province of the Commissioner of Water Supply, Gas and Electricity. None of the members of the board has ever performed a service to the public that entitles him to ask for a pension from the municipal treasury, yet that is practically what each of them receives.

Let the Aqueduct Commission be abolished, and then let every other similar home for political incurables be swept out of existence.

Doing Something for Porto Rico.

While the hearings are not of a thrilling nature, it is gratifying to know that the House Committee on Insular Affairs is giving attention to Porto Rican matters with a general intent to "do something" for our forgotten island. The character of the investigation might almost be termed disgracefully elementary. Volumes might be filled with what some of the members of that committee do not know about the size, topography, products and governmental system of an island which has been an American possession for nearly eight years.

One purpose of the hearings is to obtain information upon which to base action with regard to the political status of the Porto Ricans. This is important, and there seems no reason whatever why they should not have the rights of citizens of the United States as well as the duties of such citizenship. Another matter for consideration is provision for an elected upper house in Porto Rico's scheme of government instead of the present appointive body. Upon this point there is difference of opinion. Governor WINTHROP seems disposed to think such a step unwise at the present time. We recognize his better information concerning local conditions, but are inclined to a belief that no serious danger and some positive good would result from the adoption of a decidedly American policy. With the veto power in the hands of an appointed Governor, there would be no chance for the Porto Rican chambers to run wild, even if they were disposed to do so, while a little stronger voice in the control of their own affairs would unquestionably be gratifying to a very large number of the island people. The matter is important.

There is not much probability that anything will be done for the advancement of the economic interests of the Porto Rican people. Doubtless that question will in time settle itself. If the distressed coffee growers cannot raise coffee at living prices they must raise something else or starve. It is not to our credit as a nation that we impose such an alternative. We regard the Porto Ricans as children in the matter of learning to read and write, and as adults in the matter of providing for their material needs. It may contribute to our peace of mind, but it does not stand to our credit, that Governor WINTHROP is able to report a marked improvement in the economic situation. The Porto Ricans will probably pull through somehow, but the United States would stand in a better light if it gave them a helping hand over the rough places.

On the whole, would not the main purpose of the President's speech last Saturday, the castigation of the Muck Raker, have been served better if the Federal inheritance tax idea had been postponed to another occasion? Of all the big sticks, stick to your subject is one of the most useful.

That abandoned cemetery in Buffalo is sure to be a political graveyard if the several local and Federal officeholders who have been indicted for selling the property which they didn't own to Erie county, thereby stealing $10,000, can't make a favorable impression on the jury.

"To try to deal with them in an intemperate, destructive or demagogic spirit would in all probability mean that nothing whatever would be accomplished, and with absolute certainty that if anything were accomplished it would be of a harmful nature."—*President* ROOSEVELT.

Mr. ROOSEVELT was not talking about great fortunes, but about regulating the corporations; the quotation is from his message to Congress in December, 1904.

Any criticism of the Mutual Life's expenditures for flowers and trips for the girls would be as captious as the discovery of those items is belated; for flowers and girls are the food that poetry feeds on, and until recently the Mutual had a poet-president in a setting of white and gold.

The poor feudists—that is to say, the pure foodists—are now represented by a weekly organ, the *Food Law Bulletin*, Volume One and Number One of which is dated Chicago, April 9. The editorial salutatory outlines the purpose and character of the publication: "To enlarge a well organized service, now furnishing special information and authentic news to manufacturers and handlers of food products, concerning the operations of the food laws, decisions, rulings, opinions and other matters of vital interest to the trade"—and of some interest to consumers. The first number contains items of "food law" news from fourteen States, with several general items, including a review of the "Status of the National Food Legislation." It is a meaty little paper, and should be of value to those who determine for us what we shall eat and drink. May Heaven send them sense and sympathy!

WILLIAM R. HEARST was hailed as PYRRHUS at the Easter festival of the Randolph Club after he had told the story of the invasion of Italy by the King of Epirus and the fight at Heraclea. "Well, PYRRHUS," said the lion of the evening, "was complimented on his victory, but he replied after looking at his shattered forces, 'Another such victory and we are destroyed.' So it is with Tammany. By force and fraud it retains possession of the battlefield, but with shattered ranks." There was tremendous applause from the Randolphians, followed by admiring cries of "PYRRHUS! PYRRHUS!"

Both the speaker and his friends got things a little mixed. History tells us that PYRRHUS whipped VALERIUS LAEVINUS in a square fight at Heraclea and retained the field by force of arms. Mr. HEARST described Tammany as PYRRHUS, but the Randolphians and the Independence Leaguers insisted on acclaiming HEARST as PYRRHUS.

For the Lepers of Molokai.

TO THE EDITOR OF THE SUN—Sir: The leper colony of Molokai now makes a modest appeal for aid through the Rev. L. L. Conrardy, successor of Damien, in the fearful work. He is in this country to raise $10,000, which he proposes to place in the care of the Governor of Hawaii as a trust fund. The income will yield a sum large enough to defray the expenses of the forlorn colony.

Father Conrardy, who became a physician a few years ago to enable him to minister to bodies as well as souls diseased, assured me that two and a half cents a day supplied the needs of one leper. He spent ten years in that inferno with Father Damien, was with him when he died, and expects to die himself in the same manner. He actually covets the glory.

Any persons who may wish to contribute to the fund to produce two and a half cents a day for each unfortunate fellow citizen in that faraway spot may remit to the Rev. L. L. Conrardy, St. John's Home, 992 St. Mark's avenue, Brooklyn, where he will have his headquarters for a month to come.

NEW YORK, April 16. ROBERT P. GREEN.

Moon and the Wheat.

Petersburg correspondence Indianapolis News.

Much of the wheat in the White River bottoms, which was thought to have been destroyed in the recent overflow, is in fairly good condition, and will yield a partial crop. Men claim that as the water was over the wheat during the light of the moon, the damage will be light; asserting that the moon exerts a wonderful influence on growing wheat.

That Lost Bet.

TO THE EDITOR OF THE SUN—Sir: "Pittsburg" seems to have missed the "speckled Jimmie" style of beauty familiar to the denizens of Sootville.

Our girls wash.

NEW YORK, April 17. GOTHAM.

AN EMPLOYER'S CONTRACT.

The Court of Appeals of this State, in the case of Ray Johnston, plaintiff, against James C. Fargo, as president of the American Express Company, defendant, has recently handed down an opinion declaring void and against public policy a contract wherein the express company sought to gain an unfair advantage over an employee.

Johnston, the plaintiff, while in the employ of the defendant sustained serious personal injuries by falling with an elevator in the barn of the express company while the elevator was being used for carrying down some vehicles. On the trial, in the Municipal Court of the city of Syracuse, he proved his case before a jury and recovered judgment. Besides the usual defences set up in negligence suits the company interposed a contract which Johnson had executed and delivered to the company upon entering its employ. The contract contained this paragraph:

I do further agree, in consideration of my employment by said American Express Company, that I will assume all risks of accident or injury which I shall meet with or sustain in the course of such employment, whether occasioned by the negligence of said company or any of its members, officers, agents or employees, or otherwise, and that in case I shall at any time suffer any such injury I will at once execute and deliver to said company a good and sufficient release, under my hand and seal, of all claims, demands and causes of action arising out of said injury or connected therewith or resulting therefrom; and I hereby bind myself, my heirs, executors and administrators with the payment to said express company on demand of any sum which it may be compelled to pay in consequence of any such claim or in defending the same, including all counsel fees and expenses of litigation connected therewith.

This defence was thrown out in the Municipal Court; the judgment was affirmed in the County Court of Onondaga county, and affirmed by a divided court by the Appellate Division of the Supreme Court for the Fourth Department, in an opinion delivered by Mr. Justice Hiscock, recently designated by Gov. Higgins to the Court of Appeals. That tribunal of last resort, reviewing simply the question of law as to the validity of such a contract of exemption from liability, now unanimously affirms the judgments below. Judge Gray writes the opinion. He asserts that the case is a novel one, the precise question involved never having been determined in the Court of Appeals of this State. He cites decisions from the New York reports in which the point was indirectly involved, all of which favored the employee. Judge Gray draws on the decisions of England and of other States in the Union for his precedents. The concluding paragraphs of his opinion, in which he declares such contracts as this to be against public policy, are as follows:

Contracts are illegal at common law, as being against public policy, when they are such as to injuriously affect or subvert the public interests. * * * The theory of their invalidity is in the importance to the State that there shall be no relaxation of the rule of law which imposes the duty of care on the part of the employer toward the employed. The State is interested in the conservation of the lives and of the healthful vigor of its citizens, and if employees could contract away their responsibility at common law it would tend to encourage on their part laxity of conduct in, if not indifference to, the maintenance of proper and reasonable safeguards to human life and limb. The rule of responsibility at common law is as just as it is strict, and the interest of the State in its maintenance must be assumed; for its policy has in recent years been evidenced in the progressive enactment of many laws which regulate the employment of children and the hours of work, and impose strict conditions with reference to the safety and healthfulness of the surroundings of the employed in the factory or in the shop.

The employer and the employed, in theory, deal upon equal terms; but, practically, that is not always the case. The artisan or workman may be driven by need, or he may be ignorant or of improvident character. It is therefore for the interest of the community that there should be no encouragement for any relaxation on the employer's part in his duty of reasonable care for the safety of his employees. That freedom of contract may be said to be affected by the denial of the right to make such agreements is met by the answer that the restriction is but a salutary one which organized society exacts for the surer protection of its members. While it is true that the individual may be the one who directly is interested in the making of such a contract, indirectly the State, being concerned for the welfare of all of its members, is interested in the maintenance of the rule of liability and in its enforcement by the courts.

To a certain extent the internal activities of organized society are subject to the restraining action of the State. This is evidenced by the many laws upon the statute books in recent years which have been passed for the purpose of prohibiting, restricting or regulating the conduct of a private business; either because regarded as hurtful to the health or welfare of the community, or because deemed from its nature or magnitude affected with a public interest. It has been observed that it is still the business of the State in modern times to defend individuals against one another, and though the proposition is a broad one, when considered with reference to penal legislation and all legislation intended for the promotion of the health, welfare and safety of the community, it is not without truth.

It is evident from the course of legislation framed for the purpose of affording greater protection to the class of the employed that the people of this State have compelled the employer to do many things which at common law he was not under obligation to do. Such legislation may be regarded as supplementing the common law rule of the employer's responsibility, and is illustrative of the policy of the State. Therefore it is when an agreement is sought to be enforced which suspends the operation of the common law rule of liability and defeats the spirit of existing laws of the State, because tending to destroy the motive of the employer to be vigilant in the performance of his duty to his employees, that it is the duty of the court to declare it to be invalid and to refuse its enforcement.

In this opinion of Judge Gray's Chief Judge Cullen and Judges Haight, Vann, Chase, Edward T. Bartlett and Willard Bartlett concur.

Hazing's Dark Side.

TO THE EDITOR OF THE SUN—Sir: In Saturday's SUN was an article saying that hazing was a manly practice and so it must be continued. In Philadelphia sits a cripple, who became such by being made to jump from an open window when he was hazed. Is he more manly because of this lifelong helplessness, or is it those who inflicted this suffering who are made more manly by it?

I heard a mother encourage her son to submit to being hazed, because he could then have the pleasure of torturing others. Is it such a proof of manliness for a dozen or more strong fellows to unite in showing how much suffering they can inflict on one younger than themselves?

This is not my idea of manliness.

AMERICAN CITIZEN.

STATEN ISLAND, April 16.

Office Seeking the Man.

From the Washington Star.

"What we want," said the reformer, "is a system by which the office seeks the man."

"We've got it right here in Crimson Gulch," answered Flute Pete. "The whole Sheriff's office was out last night huntin' the feller that got the wrong hoss."

Uncle Joe and ——.

Some people insist that the Illinois veteran wants to be President. He was asked recently if this report were true. All he said was: "Scat!"

When he was asked
As sometimes are
The statesmen who
May cross the bar,
And from the wide sea's
Chilly air,
Find haven in the
White House chair,
If he had thought
Or wish to be
The Big Stick of
The G. O. P.,
As President,
He scratched his head
And all that Uncle
Joseph said
Was: "Scat."

P. S.
If he were asked
The question thrice,
Would such an answer
Still suffice?
Would Uncle Joseph
Say his say,
And scat the crown
Three times away?
It's early yet
To answer that.
Let's wait and hear
Another: "Scat."

W. J. LAMPTON.

HOMES FOR WORKING GIRLS

Described at Charities Conference as an Urgent Need in New York.

The housing of working girls and single women was discussed yesterday morning at the monthly conference of charities in the United Charities Building. It was declared that few better opportunities for philanthropy exist than to better their home conditions and that lodging houses for women in New York were an absolute failure and boarding houses not much better.

Mrs. Florence E. Kelley, formerly factory inspector in Illinois and now secretary of the Consumers' League, spoke on the "Sixty Hour Labor Law for Women." She said that while she was at the Hull House in Chicago she used to observe the girls who worked all night in factories. In the morning, going home from work, she declared, many of them were met by young men, who took them into saloons. In Illinois there is no restriction against girls working under 16. In New York there is a paper restriction only.

Mrs. Kelley declared that there must be great changes in child labor laws all over the country and that, if necessary, State Constitutions must be amended. "More than that," said Mrs. Kelley, "the Constitution of the United States must be amended to bring about these reforms if necessary."

Mrs. Clarence Burns spoke on a "proposed Mills Hotel for Women," using that name because the audience would understand what she meant and not because any such place was contemplated just now. Mrs. Burns declared that there were 300,000 women wage earners in New York city, and that of these 103,000 were domestics. Most lodging houses for working women, she declared, were utterly unfit for a decent woman. There are a few well managed places, she said, but they are a mere drop in the bucket. Boarding houses prefer men to women because the women are regarded as fussy and in the way.

Mrs. Burns asserted that it was impossible for a $3 a week girl to live a decent life and clothe herself. She commended schools like the Clara de Hirsch school, which tries to make the $3 girls $6 girls. The average wages of the 22,000 shop girls of the city, she declared, was $6.50 a week, scarcely enough to give them a living.

She asserted that it was possible to provide proper homes for these wage earners and told of one home in New York where there are eighty-five girls from 16 to 21 whose meals cost them 6 1-10 cents each.

Mrs. Burns pointed to the Fleanor Hotels for women in Chicago, which are self-supporting and successful and pleasant and respectable. She declared that such hotels could be operated here and said it was time for the women social workers to get together and see that such were established here.

Miss Alice C. Smith, a police court probation officer, declared that the facilities for housing women who come to New York seeking employment are absolutely inadequate. She said that recently she found a girl who had been compelled to sleep two nights in the Grand Central Station.

She declared that merchants were not altogether responsible for low wages paid in shops. A large amount of the labor, she said, was unskilled and the girls themselves were so poorly fed and clothed that they could give no adequate return in labor for their wages. She declared that the proper housing of working girls was so urgent a matter that every effort should be made to solve the problem at the earliest moment.

NEW YORK CLUB SITE LEASED.

Big New Building to Be Erected on the Old Fifth Avenue Corner.

The Acker, Merrall & Condit Company has taken a twenty-one year lease of the New York Club property at the southwest corner of Fifth avenue and Thirty-fifth street. The lease also includes the adjoining premises, occupied by Silo's Fifth avenue auction room. Both properties belong to the Thirty-fifth Street and Fifth Avenue Realty Company (Boehm & Coon), which is to erect for the lessees an eleven story building covering the entire plot, 85.9x150, from plans by Clinton & Russell.

A part of the building will be occupied by the Acker, Merall & Condit Company, and the remainder rented for office purposes. As the lease held by James P. Silo does not expire until 1908, the new building will be erected in sections. Work on the first section will begin on May 1, when the New York Club vacates.

In 1852 August Belmont sold the combined property for $35,000. The present owners purchased it a year ago for about $2,000,000. Albert B. Ashfort was the broker in the sale a year ago and also in the present lease. The new Altman store is on the opposite side of Fifth avenue and the new McCreery store on an abutting site in Thirty-fifth street, extending through from Thirty-fourth street.

BARS NUNS FROM SCHOOLS.

Court of Appeals Refuses Pay to Teachers Wearing Religious Garb.

ALBANY, April 17.—The Court of Appeals to-day upheld the decision of the courts below prohibiting sisters in religious garb from teaching in public schools. The decision is rendered in the case of O'Connor vs. Hendricks, sole trustee of the Lima, Livingston county, school district.

The question arose on an appeal in the action brought by Nora O'Connor and Elizabeth Dowd, members of the order of St. Joseph, of the Roman Catholic Church, to require Patrick Hendricks, school trustee of School District No. 9, town of Lima, to pay them money due as teachers in a public school of that district for a part of a school year.

Superintendent Skinner of the State Department of Public Instruction in that year ordered the trustees to require the teachers to discard their garb or terminate their contracts. They refused to comply with the order, and further payment of salary was refused. Suit followed, and the money due them up to the time of the receipt of the order was awarded them. The contention of the plaintiffs was that they held a valid contract. Hendricks's defence was the order of the superintendent.

WHY COCKRAN DIDN'T GO.

He Assures the Mayor That It Wasn't Pique at Him.

W. Bourke Cockran has sent a long letter to Mayor McClellan dated last week saying that he didn't intend to stay away from the Jefferson dinner because of the topic chosen by the Mayor, but because he didn't want to appear to confirm by his presence what was really a misrepresentation, namely that the Belmont dinner at the Democratic Club was part of the same anti-Hearst movement that Tammany Hall had initiated. He intimates his opinion that Mr. Belmont is as bad for the party as Mr. Hearst, and that universal transfers for one fare would be more to the purpose than oratory.

A member of the Democratic Club said yesterday: "Our Jefferson dinner promised to be a dismal failure through the apathy of the members until Murphy and Cockran said they wouldn't go to it. On the day after they said this we received 188 applications for seats, and the applications kept on growing until we had 550 at the feast, the largest number we ever had.

Nearly Whole Cruise in Fair Weather.

The Hamburg-American Line steamship Moltke arrived yesterday from a seventy-three days cruise to the Orient, bringing 384 cabin and 1,144 steerage passengers. She had fine weather with only two hours rain the whole cruise. On April 13 she was in communication with the Poldhu station, a distance of 2,080 miles, receiving a message of eighty-three words. On April 8 Fritz Schmolsinski, a coal trimmer, jumped overboard and was lost.

TWO INSPECTORS TURNED DOWN.

Reinstatement of Smith and Druhan Makes Hogan and Sweeney Captains Again.

Commissioner Bingham received the Corporation Counsel's opinion yesterday on the mixup which has resulted in the Police Department from the Supreme Court decision reinstating sixty officers dismissed by Commissioner McAdoo. The reinstatement of two inspectors and four captains gave Gen. Bingham more captains and inspectors than he had vacancies for. Some of them he found places for, but he still had left two inspectors and only one vacancy.

The charter allows the Commissioner fifteen inspectors. Some time ago the Board of Estimate and Apportionment gave money for a sixteenth. But the reinstatement produced seventeen inspectors, the last two, Sweeney and Hogan, having been appointed by Mr. McAdoo to fill the places of Baldwin and Albertson, who were dismissed for physical disability along with Elbert O. Smith and Thomas L. Druhan. When Smith and Druhan secured their reinstatement through the courts the question was immediately asked the Commissioner: "Are you going to reduce Hogan and Sweeney?"

"The matter is in the hands of the Corporation Counsel and I shall await his opinion," the Commissioner replied.

The Corporation Counsel has decided that, as the Supreme Court holds that Smith and Druhan were illegally dismissed from the force, no inspectorships actually existed for Commissioner McAdoo to place Hogan and Sweeney in, and therefore their appointments to such rank were illegal.

Commissioner Bingham, in view of the foregoing opinion, yesterday ordered Inspectors Hogan and Sweeney to hand in their shields and reduced them to the rank of captain and assigned them to act temporarily as acting inspectors of the Second and Sixth inspection districts respectively.

This action leaves one inspectorship still open and to fill this vacancy he has requested the Civil Service Commission to furnish him with a new elegible list for inspectors. The new list will contain the names of Hogan and Sweeney and one other name, probably Capt. John W. O'Connor, who was reduced from acting inspector to captain in Monday's shift. The man having the highest percentage on the new list will in all probability be appointed. This will cause the permanent reduction in rank of either Hogan or Sweeney, or both.

It is now feared about Headquarters that both Inspectors Baldwin and Albertson will seek reinstatement under the same ruling that put back Smith and Druhan. If they succeed it will mean two more reductions in rank. The next two inspectors from the bottom are Nally and Flood.

There is a chance, however, that some retirements will come about in a few months, as several inspectors will shortly reach the retirement age.

IDA TARBELL THEIR GUEST.

Wells College Alumnæ Hear Her Discuss Imitators in Life.

The alumnæ of Wells College had their annual reunion at Sherry's yesterday turning out in their new spring gowns to eat at tables decked with yellow daffodils and tulips.

There was one lone man at the feast. He was the president of the college, Dr. George Morgan Ward. The real guest of honor was Miss Ida Tarbell, who was introduced by Miss M. Helena Zachos, the president of the Eastern Association of Wells College, as one of the women who had made their mark with men. Miss Tarbell spoke on "The Imitation versus the Real."

"If you walk along Twenty-third street," she said, "you find one of the most distressing sights in New York. Every woman is trying to imitate every other woman, and the lay figures in the windows as well. Let a country woman, or a nun or a maid, come along and immediately these persons, arrayed suitably in accordance with their occupations, present a proper distinction.

"There is more imitative thinking than anything else. We follow the crowd in our thoughts as we follow the crowd on Twenty-third street or on Fifth avenue. If everybody says some play is a great play we say that it is a great play. Take that most conspicuous big thing, money and the mania for wealth. Money is a good thing in the hands of the skilful. In unskilful hands it is a very dangerous thing and gives you neither permanent place nor permanent name. All of us, however, kneel before this idol—money."

The wonderful thing about the imitation of to-day, Miss Tarbell went on to say, was that so many people liked it.

"We take ideas as they are offered to us, and we like them. How are we to get rid of this? First, get rid of the idea of your own infallibility. Make up your mind to get all that is real."

Dr. Ward told of what a hard time a college as small as Wells had getting attention from the few great givers of the country. "We have reached a crisis," he said. "We can't go backward. There is a place for a small college, but the place is for a college and not for a girl's boarding school. The two or three men in this country who are giving largely to educational institutions employ accountants, and as soon as applications are made they send a man to go over your expenditures and divide the total of these by the number of students. On such a plan Wells College with 150 students comes out bad. We must be a college, and yet we want to keep our numbers down to where the students will continue to get individual care."

PICKED UP A MILLION OR SO.

Carpenter Tells How He Returned It to a Very Busy Man.

Ernest Chapman, a carpenter, picked up yesterday afternoon at Wall and Nassau streets a bank book lost by a messenger of Wolf Bros. & Co., bankers and brokers at 100 Broadway, which contained a check for $1,000,000 and other checks for amounts aggregating $750,000. All of them were payable to the National City Bank. He went to the Mutual Life Building, where he was employed on work in the Northern Pacific offices, and asked the railroad officials what to do with his find. They pointed out the address on the bank book, and there the carpenter went.

"They led me past a lot of cubby holes into a little room in the corner," said Mr. Chapman, discussing his experience afterward. "There at the desk sat a man who didn't as much as turn around to look at me. The man who was with me told him I'd found something.

"Has he got it?" said the man at the desk, not looking up for a minute.

"'He has,' the other man said, nothing me pull the book out of my pocket.

"'Give it to me,' says the other man without turning a hair. And seeing from the way of him that he was the goods, I turns over the book.

"'They're all right,' says he, acting as if they were of no consequence whatever. 'Here, give him this.' And with that he hands a ten dollar bill over his shoulder and the other man gets it and gives it to me and the big man never looks up and never says 'Thank you' or 'Where did you find it?' or anything that you'd most expect, and I goes out and comes back to work wondering if I want that ten dollar bill so much after all."

Chapman's fellow workers said he was on the police force in England once. On Sundays he sings in the choir of the Rev. Robert Paddock's church, Twenty-eighth street and Ninth avenue, and he lives at 319 West Twenty-sixth street.

At the offices of Wolf Bros. & Co. it was said that they intended to use the carpenter politely. They thought they had recompensed him fairly for his trouble, since the checks were worthless to him.